IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 5084 of 2007(E)

PETITIONERS:
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1. MARY VARGHESE, AGED 58 YEARS,
W/O.LATE VARGHESE, KOTTAKAL HOUSE,
KARUKUTTY P.O., KARAYAMAPARAMBU,
NOW RESIDING AT PAREKATTIL HOUSE, KARUKUTTY P.O.,
KARAYAMPARAMBU.

2. ALIA DEVASSY, AGED 76 YEARS,
W/O.LATE DEVASSY, PAREKATTIL HOUSE,
KARUKUTTY P.O., KARAYAMAPARAMBU.

3. NAVYA VARGHESE, AGED 21 YEARS,
D/O.LATE VARGHESE, KOTTAKKAL HOUSE, KARUKUTTY PO,
KARAYAMPARAMBU, NOW RESIDING AT PAREKATTIL HOUSE,
KARUKUTTY P.O., KAREYAMPARAMBU.

BY ADV. SRI.M.L.SAJEEVAN
SRI.M.N.SANJITH
SRI.JAISON JOSEPH

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY, HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
2. SUPERINTENDENT OF POLICE,
ERNAKULAM RURAL, ALWAYE.
3. DEPUTY SUPERINTENDENT OF POLICE,
D.C.R.B., ALWAYE.
4. CIRCLE INSPECTOR OF POLICE,
CHENGAMMANADU POLICE STATION.
5. SUB-INSPECTOR OF POLICE,
CHENGAMANADU POLICE STATION.

BY DGPP SRI. P.G.THAMPI
GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.5084 OF 2007

Dated this the 26th day of February,2007.

JUDGMENT

Koshy, J.

This is a petition alleging police harassment. Several crimes are registered against Jesto, son of the first petitioner. According to the police, they are only making investigations according to law. Since Jesto is absconding necessary steps are to be taken. It is the contentions of the petitioners that respondents 1 to 2 are widows and they have also no contact with accused Jesto. Whatever may be that third petitioner is studying in Tamilnadu Engineering College and she is unnecessarily called by police many time which amounts to police harassment. This court will not interfere with the process of investigation done by the police. Police is free to conduct investigation, but, at the same time, that should not amount to harassment and investigation should be strictly according to law. Even though police can take all steps to find out the son of first petitioner who is now absconding, petitioners 1 and 2 being widows should not be called to the police station. If their presence is necessary, summons shall be issued. There is no justification for calling the third petitioner to the police station. Investigation of the crime registered should be strictly according to law.

Writ petition is disposed accordingly.

J.B.KOSHY, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

bkn